

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

WP(C).No. 4014 of 2004(C)

PETITIONER:

**N.ABDUL RAHIM, PROPRIETOR,
RAHIM'S FAMILY RESTUARANT, T.C.14/2367, OPPO.MLA
QUARTERS, PALAYAM, THIRUVANANTHAPURAM.**

**BY ADV. SRI.M.BALAGOVINDAN
SRI.P.M.JOSEPH**

RESPONDENTS:

- 1. STATE OF KERALA REP. BY SECRETARY TO
GOVERNMENT, LOCAL ADMINISTRATION,(LOCAL SELF
GOVERNMENT) SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. THE SECRETARY,
CORPORATION OF THIRUVANANTHAPURAM,
CORPORATION BUILDING,
THIRUVANANTHAPURAM.**

**BY ADV. SRI.N.NANDAKUMARA MENON,SC,TVM CORPN.
GOVERNMENT PLEADER**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 07/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

W.P.(C) NO.4014/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE SALE DEED. DT. 29.1.2000.

EXT.P2:- SERIES: COPY OF THE PHOTOGRAPHS EVIDENCING THE REMOVAL BOARD AND DEMOLITION OF THE PROJECTION.

EXT.P3:- COPY OF THE NOTICE CUM ORDER BY THE 2ND RESPONDENT.

EXT.P4:- COPY OF THE JUDGMENT IN WP(C) 22849/03 OF THIS HONOURABLE COURT.

EXT.P5:- COPY OF THE ORDER U/S. 406(3) ISSUE BY THE 2ND RESPONDENT.

EXT.P6:- COPY OF THE STATUTORY APPEAL BEFORE THE 1ST RESPONDENT.

EXT.7:- COPY OF THE ORDER OF THE 1ST RESPONDENT.

/TRUE COPY/

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KURIAN JOSEPH J.

W.P.(C) No.4014 of 2004

Dated 7th June, 2007.

J U D G M E N T

Petitioner approached this Court aggrieved by Ext.P7 order, rejecting the appeal filed by him with regard to an alleged unauthorised construction. Inviting reference to the photographs, it is submitted that even before the impugned order was issued, demolition had already been effected and therefore, nothing survives in the writ petition. If as a matter of fact, the demolition has already been effected, it is made clear that there shall not be any further action pursuant to Ext.P7.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 2003

J U D G M E N T

Dated 7th June, 2007.